

IN THE SUPREME COURT, STATE OF WYOMING

APRIL TERM, A.D. 1978

In the Matter of Amending)
Rules 29 and 5.06, Wyoming)
Rules of Appellate Procedure)

IN THE SUPREME COURT
STATE OF WYOMING
FILED

AUG 29 1978

O R D E R

RITA M. WHITE

M. J. Coonick

DEPUTY

To clarify the time when the Wyoming Rules of Appellate Procedure will govern appeals, it is deemed advisable to amend Rule 29 WRAP.

NOW, THEREFORE, IT IS ORDERED that Rule 29, WRAP, be, and the same is hereby, amended to read as follows:

"These rules shall take effect and be in force from and after August 1, 1978, as to all original proceedings commenced in the supreme court and judgments of conviction and sentences of death subject to automatic review by the supreme court as provided in § 6-4-103, W.S. 1977. They shall govern all other appellate proceedings in which the judgment or other final order appealed from is entered by the clerk of the district court subsequent to December 1, 1978."

To conform to time constraints in § 6-4-103, W.S. 1977, it is advisable to insert a new paragraph in Rule 5.06 Wyoming Rules of Appellate Procedure.

IT IS, THEREFORE, ORDERED that Rule 5.06 WRAP, be, and it is hereby amended by adding the following new paragraph to follow the first paragraph of the rule, and in all other respects the rule shall remain unchanged:

"When the proceeding is an automatic review by the supreme court of a judgment and sentence of death, as provided by § 6-4-103, W.S. 1977, the appellant, within twenty-five (25) days after certification by the sentencing court of the entire record shall file with the clerk of the supreme court seven copies of his brief, and shall also within the period serve upon or mail to the opposite party or its attorney of record one other copy of such brief; and within twenty-five (25) days after the filing of appellant's brief, the appellee shall file with the clerk seven copies of its brief, and shall also within that period serve

upon or mail to the opposite party, or his attorney of record, one other copy of such brief."

IT IS FURTHER ORDERED that the amendments to Rules 29 and 5.06 Wyoming Rules of Appellate Procedure be published at least 60 days prior to December 1, 1978, in the advance sheets of the Pacific Reporter and thereafter in the Wyoming Reporter; that copies of the rules shall be distributed to the members of the Wyoming State Bar; that the amendments shall be spread at length on the journal of this court.

Dated at Cheyenne, Wyoming, this 28th day of August, 1978.

BY THE COURT:

Rodney M. Guthrie
Rodney M. Guthrie, Chief Justice

8-30-78

Copies to

Justice	1
District Court Judges	15
" " Clerks	23
Wm A Taylor	1
A. G.	1
R. S. O.	1
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Permanent Rules

Committee

Members, not

included above

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Boh, Carmichael, Spencer,
Yonker, Mueller

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